

Court of Appeals, State of Michigan

ORDER

Jesse Adam Kaskey v Iosco District Judge

Docket No. 307354

LC No. 00-000000

Patrick M. Meter
Presiding Judge

William C. Whitbeck

Michael J. Kelly
Judges

The Court orders that the motion to waive fees is GRANTED for this case only.

Pursuant to MCR 7.205(D)(2), in lieu of granting the delayed application for leave to appeal, the Court orders that the September 29, 2011 order of the circuit court denying plaintiff's motion to waive fees is REVERSED. Under MCR 2.002(C), where plaintiff showed by affidavit that he was receiving public assistance, in the absence of a finding negating the presumption of indigence, the court was required to grant the motion to suspend fees. *Meese v Meese*, 223 Mich App 344, 347; 566 NW2d 310 (1997).

We do not retain jurisdiction.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

FEB 29 2012

Date

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line.
Chief Clerk